

WETLANDS COUNCIL

MINUTES

November 13, 2012

The Wetlands Council met on Tuesday, November 13, 2012 in Rooms 112, 113, & 114 at the Department of Environmental Services, 29 Hazen Drive, Concord, NH

Attendees: Chairman Chip Kimball, Councilors: Frank Byron, Ryan Crosbie, Carol Henderson, James Kennedy, Deborah Lievens, Russ St. Pierre, Seth Prescott, Susan Slack, Thomas Sloan and Robert Snelling

Absentees: Councilors: Sharon Champagne

Also present were: Paula Scott, Appeals Clerk and Carolyn Guerdet, Council Clerk.

The regular Wetlands Council meeting was called to order by Chairman Kimball at 9:01 a.m. with introductions and a quorum present. Chairman Kimball introduced Frank Byron, representing Elected Municipal Officials.

1. Approval of Minutes

- ***Councilor Snelling made a motion to approve the September 11, 2012 minutes, second by Councilor Lievens. Motion passed unanimously with Councilor Byron abstaining.***

It was noted that the scheduled Sept 25, 2012 and Oct. 23, 2012 meetings were not held due to continuance of the scheduled hearing on both days. Also the ARM Funds that were to be reviewed today have a new requirement by the Corp of Engineers which added a 15 day comment period in their process so our review will have to be delayed.

2. Public Input: None

3. Status of Appeals

Paula Scott, Appeals Clerk, reviewed the following appeals.

I. New Appeals

Docket No. 12-08 WtC – Renate U. Ranniger

Subject: 7/25/12 Granting of Shoreland Impact Permit No. 2012-01713 to Anna and James Coleman
Hearing Officer: Not assigned

Status: On August 22, 2012 received Petition for Appeal. Aug. 29, 2012 issued Insufficient Appeal letter. September 5, 2012 received additional information and appeals clerk issued Receipt of Appeal letter. Sept. 24, 2012 received Appearance from Permittees' Anna & James Coleman. November 2, 2012 received Addendum to Petition for Appeal.

- ***Councilor Sloan made motion to accept the appeal but decline addendum without prejudice(issue to be taken up with Hearing Officer), second by Councilor Crosbie. Motion passed unanimously.***

Docket No. 12-09 WtC – Fillmore Industries, Inc.

Subject: 8/27/12 Notice of Compliance and Release of Recordation for Administrative Order No. 12-005 WD

Hearing Officer: Not Assigned

Status: On September 27, 2012 received Notice of Appeal, which was untimely filed on the 31st day. Council to accept or decline appeal at its November 13, 2012 meeting. Discussion was held.

- ***Councilor Sloan made a motion to decline the appeal based on untimeliness, second by Councilor Henderson. Motion passed unanimously.***

Docket No. 12-10 WtC – Robert & Katherine Michele

Subject: 9/4/12 Denial of Reconsideration for permit No. 2007-02868 issued to Joseph and Linda Bremner

Hearing Officer: Not Assigned

Status: On October 4, 2012 received Petition for Appeal and Appearance notices for Attorneys David Raiment and Mark Derby. Oct. 5, 2012 issued receipt of appeal letter. Oct. 30, 2012 received Objection to Petition for Appeal. Council to accept or decline appeal at its November 13, 2012 meeting.

- ***Motion to accept appeal, and request complete copies of the relevant court decisions be forwarded to the Council, made by Councilor Sloan, second by Councilor Henderson. Motion passed unanimously.***

Docket No. 12-12 WtC – William & Elizabeth Frago, Trustees-William S. Frago Trust & Elizabeth Hall Frago Trust

Subject: 9/18/12 Denial of Reconsideration of permit #2011-01677 issued to Hopgood Bixby Shore Family Trust

Hearing Officer: Not Assigned

Status: October 17, 2012 received Petition for Appeal. Oct. 18, 2012 issued receipt of appeal letter. Council to accept or decline at its December 11, 2012 meeting. 11-06 -12 received Appearance of Gregory Smith, Mark Rouvalis and Michael Walls. Also Received Motion for Summary Affirmance pursuant to Env-WtC 204.01.

II. Decisions that need to be written/finalized and issued.

Docket No. 08-04 WtC - Porter Trust

Subject: 12/12/07 Decision on Reconsideration, Wetlands File No. 2006-02705

Presiding Officer: Chip Kimball assigned on January 5, 2011

Status: On June 14, 2011, Council voted to deny LBC's Motion to Dismiss. Decision and order sent on 7/14/2011. Order Requesting Legal Memorandum was issued on 12/13/11. 1/11/12 rec'd Assented-To Motion to Extend Deadline Requesting Legal Memorandum Regarding Abutter Notification. 1/12/12 issued Ruling Granting Motion to Extend Deadline Requesting Legal Memorandum. 4/13/12 received second Assented-To Motion to Extend Deadline Requesting Legal Memorandum Regarding Abutter Notification. Presiding Officer to act on Motion. Assented-to Motion to Extend Deadline Requesting Legal Memo was granted for 75 days from May 8, 2012, notice issued on May 10, 2012. July 19, 2012 received 3rd Assented-to Motion to Extend Deadline Requesting Legal Memorandum Regarding Abutter Notification. July 20, 2012 Assented-to Motion was granted and issued. 12 issued request for Status Report. 10/12/12 received status report and settlement agreement. 11/2/12 received dismissal of docket letter(withdrawal) from Appellant's Attorney. Docket is now closed.

Docket No. 11-12 WtC – George R. and Denise Scholl

Subject: 09/22/11 Denial on Reconsideration for Wetlands Permit #2011-00314

Presiding Officer: David Conley, Esq. appointed 12/19/11

Action needed: Appeal was filed timely on 10/21/11. Attorney Hanna filed an Appearance for the appellant on 10/21/11. Receipt of Appeal letter was issued on 10/21/11. Council accepted Appeal on 12/13/11. Pre-Hearing Conference(PHC) was held Feb. 15. Hearing scheduled for August 14, 2012 at 10 a.m., notice given per Pre-Hearing Order(PHO) on 2/15/12. 2/24/12 received appellant's request for certified copy of DES' file. July 30, 2012 received DES' Witness and Exhibit List. July 31, 2012 received Appellant's Witness, Expert and Exhibit List. August 6, 2012 received Appearance for Darlene Forst and DES' Objection to the Submittal of new Evidence and Witnesses. August 9, 2012 received Appellant's Response to DES' Objection to Submit New Evidence and Witnesses. August 9, 2012 issued Order on Objection to Submit New Evidence. Hearing was held on Aug. 14, 2012 with deliberations scheduled for September 11, 2012. Decision and Order to be issued within 90 days (November 12, 2012). Aug. 27, 2012 received Appellant's Request for Findings of Fact and Conclusions of Law and DES' addendum to Proposed Findings of Fact and Conclusions of Law. Sept. 4, 2012 received Appellants' Objection to the Department's Addendum to Proposed Findings of fact and Conclusions of Law. Deliberations were held on September 11, 2012. Draft Decision and Order on Notice of Appeal to be acted upon by the council today, November 13, 2012.

- ***Councilor Lievens made a motion to adopt the decision and order, second by Councilor Slack. Motion passed with one nay and Councilor Byron abstaining.***

III. Hearings or PHCs Pending

Docket No. 09-36 WtC – Brendan and Dana Keegan

Subject: Administrative Order No. 09-22 WD dated April 6, 2009

Presiding Officer: Chip Kimball assigned on 10/31/11

Status: Nov 29, 2011 rec'd Motion to Continue PHC. Motion was granted and PHC was rescheduled to Dec. 16, 2011 @ 9 a.m. 12/16/11 Notice given by PHO, hearing scheduled for May 22, 2011 @ 9:00 a.m. Also, received on 5/9/12 Motion to Continue Hearing and For Expedited Ruling. 5/10/12 issued Ruling on Motion to Continue which was granted, hearing now scheduled for Oct. 23, 2012 at 9 a.m. June 25, 2012 received Assented-To Motion for 3rd PHC. Hearing Officer granted Motion and scheduled 3rd PHC for Oct. 2, 2012 @ 9 a.m., notice given June 29, 2012. PHC was held on 10/2/12. The hearing time was changed to 9:30 a.m. on 10/23/12, and notice was given per the Pre-Hearing Order. 10/16/12 received Assented-To Motion to continue hearing. 10/17/12 Motion was granted and notice was issued. Hearing rescheduled to Dec. 11, 2012 at 1 p.m., notice sent 10/24/12.

Docket No. 10-30 WtC – Dana Belletete

Subject: 08/27/10 Administrative Order No. 10-026 WD

Presiding Officer: David Conley, Esq. appointed on 12/19/11

Status: Council accepted appeal on 12/13/11, notice sent on 12/16/11. PHC was held on Feb. 15, 2012. Appearance for Linda Magoon was filed on 2/13/12. Hearing scheduled for July 10, 2012 at 9 a.m., notice given per PHO on 2/15/12. June 21, 2012 received Assented-To Motion to Continue. June 25, 2012 Hearing Officer granted Motion to Continue and issued. August 16, 2012 issued Hearing Notice with hearing scheduled for January 22, 2013 at 9 a.m. Nov. 6, 2012 received Assented-To Motion to Dismiss. Hearing Officer to rule on motion.

Docket No. 10-31 WtC – Larry Crocker

Subject: 10/24/10 Denial of Reconsideration regarding a permit issued to Christopher Hemingway, File #2009-03021

Presiding Officer: David Conley, Esq. appointed on May 30, 2012

Action: Council found appeal had been timely filed at its March 13, 2012 meeting. On 3/14/12 sent insufficient appeal letter. 4/2/12 received revised petition for appeal and sent receipt of revised petition. 4/6/12 Mary Ann Tilton filed an appearance on behalf of DES. Council accepted the appeal at its May

8, 2012 meeting. 5/9/12 issued appeal accepted letter. June 4, 2012 issued Notice of PHC which is scheduled for 6/20/12 at 11 a.m. PHC was held on June 20, 2012 and a hearing has been scheduled for November 27, 2012 @ 9 a.m. notice given per PHO on June 20, 2012. June 25, 2012 received Motion to Intervene and an Appearance of Attorney Brad Wilder for the applicant/permittee. June 26, 2012 Hearing Officer granted Motion to Intervene and issued it on the same day. July 31, 2012 received Request for 2nd PHC from Appellant. August 10, 2012 issued ruling on Request for 2nd PHC which was denied. Sept. 28, 2012 received Motion to Supplement the Record. Motion was granted and letter issued on 11/5/12. 11/2/12 received Appellant's Witness and Exhibit List.

Docket No. 11-02 WtC – Kathryn Wolf

Subject: 01/24/11 Decision on Reconsideration of File #2004-02929 (granting amended wetland application for Norman Davis)

Presiding Officer: David Conley, Esq appointed on 12/19/11

Status: On 11/30/11, received a revised Petition for Appeal. On 12/7/11, sent receipt of revised appeal. Council accepted appeal on 12/13/11. 1/12/12 changed name of appeal to correctly reflect appellant's name. PHC held Feb. 15, 2012. Hearing scheduled for July 24, 2012 at 9 a.m., notice given per PHO on 2/15/12. July 17, 2012 received appellant's Witness and Exhibit List and Proposed Stipulation of Facts. July 23, 2012 received Appearance from Mary Ann Tilton for DES and also received Assented-To Motion to Continue. July 23, 2012 Assented-To Motion was granted and issued. Hearing notice was issued on August 15, 2012 with a hearing date of January 8, 2013 at 9 a.m.

Docket No. 11-03 WtC – Joseph and Patricia DeVelis

Subject: 1/25/11 Administrative Order No. 11-002 WD

Presiding Officer: Ryan Crosbie assigned on May 2, 2011

Status: Rulings on Motion to Extend Time and Motion to Modify PHO were issued on Nov. 2, 2011 and mailed on Nov. 3, 2011. Hearing was set for March 13, 2012 @ 9 a.m. 12/27/11 Received DES' and Appellant's Witness and Exhibit Lists. 3/9/12 Motion was granted and notice sent. Hearing scheduled for March 13 was continued. Councilor Crosbie spoke with Atty. English regarding Motion to Modify Hearing Date. March 9, 2012 Motion was granted and notice sent. Hearing has been rescheduled to October 9, 2012 at 10 a.m., notice issued May 3, 2012. Hearing Postponement notice was issued on Sept. 19, 2012. Oct. 2, 2012 received letter from Atty. Bisbee regarding the Hearing Postponement letter.

Docket No. 12-07 WtC – Joseph DeVelis

Subject: 6/20/12 Denial on reconsideration of Permit application #2012-00368

Hearing Officer: David Conley, Esq. appointed on 9/18/12.

Status: On July 20, 2012 received Notice of Appeal. July 24, 2012 issued Receipt of Appeal letter. Council accepted the appeal at its September 11, 2012 meeting. August 15, 2012 received appearance from Atty. Evan Mullholland. 9/14/12 issued appeal accepted letter.

Councilor Crosbie gave a brief recap of the sequence of events of the 2 previous DeVelis appeals.

- ***Councilor Crosbie made a motion to consolidate the 2 DeVelis appeals into one hearing procedure and request the Attorney General's office to assign one hearing officer to both appeals, second by Councilor Henderson. Motion passed unanimously.***

Docket No. 11-06 WtC – John and Sharon Graham

Subject: April 11, 2011 Appeal of Administrative Order No. 11-014 WD

Presiding Officer: David Conley, Esq. appointed on 1/19/12.

Status: Council accepted the appeal letter, notice was sent on July 22, 2011. 2nd PHC held Feb. 15, 2012. Hearing scheduled for April 10, 2012 at 10 a.m. 2nd Notice given per PHO on 2/15/12. On April 2, 2012 received Motion to Adjourn or Continue PHC and Hearing on the Merits. 4/4/12 Ruling on

Motion to Continue was granted and issued. Hearing has been rescheduled to September 11, 2012 at 10 a.m., notice issued May 3, 2012. Sept. 10, 2012 received Assented-To Motion to Continue Hearing from the Department which was granted. November 7, 2012 received update from Atty. Roth. They have finalized the settlement papers and are in the process of signing the agreement. Once signed the settlement agreement will be submitted to the Council.

Docket No. 11-13 WtC – R. Michael Mayo, et al.

Subject: 10/18/11 Denial of Request for Reconsideration

Presiding Officer: David Conley, Esq. appointed on 1/19/12

Recused: David Thompson

Action needed: Appeal was filed timely on 11/17/11 but was insufficient. Sent insufficient appeal letter on 11/17/11 and received revised Petition for Appeal on 11/23/11. Receipt of revised appeal letter was sent 11/28/11. Appeal accepted at 1/10/12 meeting. PHC scheduled for March 12, 2012 at 9 a.m. 2/28/12 received applicant's copy of notice that appeal had been accepted by the Council, by return mail which states he is temporarily away. 3/6/12 received phone call from applicant regarding appeal. 3/12/12 received appearance from Attorney Regina Nadeau for the applicant. PHC was held on 3/12/12 and hearing is scheduled for Sept. 25, 2012, with notice given per PHO on 3/12/12. 4/19/12 received an appearance for Atty. Maureen Smith and Atty. Rachel Goldwasser for the appellants. 5/11/12 received Permittee's Witness and Exhibit List. 5/11/12 also received Appellants' Witness and Exhibit List. 5/15/12 received appearance from Mary Ann Tilton. July 23, 2012 received Appellant's Motion to Stay proceedings. July 30, 2012 received Permittee's Objection to Motion to Stay Proceedings. August 1, 2012 received Permittee's Motion to Strike New Evidence and Argument. August 2, 2012 received Appellants' Objection to Applicant's Request for Findings and Other Relief. August 6, 2012 received Appellants' Objection to Motion to Strike New Evidence. August 9, 2012 issued Order on Applicant's Motion to Strike New Evidence and Argument. August 13, 2012 issued decision on Motion to Stay Proceedings, which was denied. Aug. 22, 2012 received Requests for Information from appellants addressed to Attorney Nadeau and Mary Ann Tilton. Aug. 31, 2012 received Motion for Late Filing of Dispositive Motion, Appellants' Motion for Summary Judgment and Affidavit of R. Michael Mayo. September 10, 2012 received Objection to Motion for Late Filing of Dispositive Motion. Hearing officer granted Motion for Late Filing of Motion for Summary Judgment and issued the order on 9/13/12. 9/18/12 received Appellant's and Intervenor's Exhibits. 9/19/12 issued letter regarding Motion for Filing Requests which was granted. All requests for findings and rulings are due by Oct. 15, 2012. Sept. 21, 2012 received Applicant's Response to Motion for Summary Judgment. Sept. 24, 2012 received Motion to Conditionally Exclude Intervenor's Exhibits. Sept. 24, 2012 Order on Appellants' Motion for Summary Judgment which was granted in part and remanded back to the Wetlands Bureau. October 23, 2012 received Intervenor's Request for Reconsideration. Oct. 29, 2012 received Appellants' Objection to Intervenor's Request for Reconsideration.

- ***Councilor Slack made a motion to concur with the Hearing Officer's ruling to deny the Motion for Reconsideration, second by Councilor Prescott. Discussion ensued. Motion passed unanimously.***

Docket No. 12-02 WtC – Rene Montplaisir & Barbara Fraser

Subject: 12/30/11 Administrative Order No. 11-037 WD

Presiding Officer: David Conley, Esq. appointed on 3/15/12

Action needed: Appeal filed timely on 1/20/2012, issued receipt of appeal letter. Council accepted appeal on 3/13/12, notice sent 3/14/12. PHC was scheduled for May 2, 2012 at 10:30 a.m., notice issued 3/26/12. 4/10/12 received appearance from Linda Magoon. PHC was held on 5/2/12, a second PHC is scheduled for 8/13/12 at 9 a.m. and a hearing is scheduled for August 28, 2012 at 1 p.m. Notice given per Pre-Hearing Order issued on May 2, 2012. 2nd PHC was held on August 13, 2012; hearing has been rescheduled to 9 a.m. on August 28th. Aug. 20, 2012 received appearance of Biron Bedard for the Appellant and an Assented-To Motion to Continue. Aug. 21, 2012 Hearing Officer

granted Motion to Continue and issued ruling. Sept. 14, 2012 issued rescheduled hearing notice with hearing scheduled for 1/22/2013 at 1 p.m.

Docket No. 12-03 WtC – Hixon Realty Trust

Subject: 01/24/12 Denial of Reconsideration regarding a permit issued to Steve McKallagat, File #2011-01061

Presiding Officer: David Conley, Esq. appointed on 5/30/12.

Action: 2/22/12 received Notice of Appeal. 2/22/12 issued insufficient notice of appeal letter. 3/22/12 received addendum to Notice of Appeal. 3/23/12 issued receipt of revised appeal letter. Council accepted appeal at its May 8, 2012 meeting; on May 10, 2012 issued appeal accepted letter. Jun 4, 2012 issued Notice of PHC which is scheduled for June 20, 2012 at 12 p.m. June 11, 2012 received Request for Continuance from Appellant. Request for Continuance was granted and PHC was rescheduled to July 12, 2012 @ 9 a.m. notice given June 18, 2012. PHC was held on July 12, 2012 and PHO was issued with a scheduled hearing date of December 11, 2012 and a 2nd PHC scheduled for December 3, 2012. July 12, 2012 received Appearance for Darlene Forst.

Docket No. 12-04 WtC – Fillmore Industries, Inc.

Subject: 02/14/12 Administrative Order No. 12-005 WD

Presiding Officer: David Conley, Esq. appointed on 5/30/12.

Action: 3/15/12 received Notice of Appeal. 3/15/12 issued insufficient notice of appeal letter. 3/22/12 received revised Notice of Appeal. 3/27/12 issued receipt to revised appeal letter. Council accepted appeal at its May 8, 2012 meeting, on May 10, 2012 issued appeal accepted letter. June 4, 2012 issued Notice of PHC which is scheduled for June 20, 2012 at 10 a.m. June 14, 2012 received Assented-to Motion to continue PHC. June 15, 2012 received Appearance for Linda Magoon. Hearing Officer granted the Assented-To Motion to Continue and notice was issued June 15, 2012. Rescheduled PHC for September 17, 2012 at 2 p.m. Notice given August 14, 2012. PHC was held on Sept. 17, 2012; parties to submit a status report by October 17, 2012. Hearing scheduled for March 12, 2013 at 9 a.m., notice given per PHO. 9/25/12 received withdrawal of appearance from Linda Magoon, received appearance from Gretchen Hamel and Motion to Dismiss. 10/1/12 received appearance from Atty. Mark Rouvalis, Objection to State's Motion to Dismiss, and a Motion to Consolidate. HO to rule on Motion and Objection. 10/17/12 received a Joint Status report from Appellant.

IV. Inactive/Status Letter or Pending Settlement/Withdrawal

Docket No. 09-21 WtC - John Penaskovic

Subject: 4/17/09 Administrative Order, Administrative Order No. 09-040 WD

Presiding Officer: Chip Kimball

Recused: Larry Morse

Status: Appellant wants this appeal to remain open until "Gary Goodspeed completes his portion of the work agreed upon in the restoration plan agreement dated July 1, 2010." John will withdraw this appeal when Mr. Goodspeed receives a letter of compliance and a release of recordation. Appeals Clerk sent a status request letter. August 15, 2012 sent request for status with 30 days to respond. Nothing has been received. Sept. 17, 2012 received Wetlands Bureau Field Report and photographs of completed work. Summarily Dismissed appeal on 9/14/12 pursuant to Env-WtC 204.04(g). Notice issued on Sept. 18, 2012.

Docket No. 10-10 WtC – Donald Lee

Subject: 5/23/10 Decision on Reconsideration, Wetlands File No. 2008-01253

Presiding Officer: Chip Kimball assigned on January 26, 2011

November 13, 2012

Status: Hearing scheduled for Jan. 10, 2012 per notice of PHO issued on 8/31/11 Rec'd Suggestion of Bankruptcy on Dec. 5, 2011. On 12/6/11 received withdrawal of appearance from appellant's attorney and issued Order for Continuance. Appeal is Stayed due to filing in Bankruptcy Court.

Docket No. 10-14 WtC – Akwa Marina Yacht Club

Subject: 6/11/10 Decision on Reconsideration, Wetlands File No. 2009-01047

Presiding Officer: David Conley, Esq. appointed on 12/22/11

Status: Written ruling on Motion to Continue was issued on Nov. 8, 2011. 11/14/11 received Supplement to Appeal. Hearing Notice was issued on 12/9/11. Rescheduled hearing for Feb 14, 2012 @ 9 a.m. Jan 4, 2012, appellant filed Assented-To Motion to Continue. Jan 9, 2012, PO granted Motion to Continue. Hearing has been rescheduled to today June 12, 2012 @ 9 a.m., notice given 1/18/12. Hearing was held June 12. Hearing was continued until a settlement agreement is made or either party requests to resume the hearing. The appellant's attorney will update the Council within 60 days as to the progress (Aug. 11, 2012). Appeals Clerk sent a status request letter on August 15, 2012 with 20 days to respond. September 4, 2012 received status report from appellant. Sept. 6, 2012 issued Hearing Officer's order for an updated status report to be submitted by December 3, 2012.

V. Misc.

Chairman Kimball referenced the letter this council sent out in the spring to the Commissioner and there appears to be some confusion at the Dept. regarding the dock permits, the obligations of putting a dock out, and notification to abutters. There appears to be a question whether the grandfathering is between the owner and the state or also between waterfront abutters. He will draft a letter to bring these issues up to the Commissioner.

Council took a break at 10:20 a.m.

Council returned from break at 10:33 a.m.

4. Old Business -

5. New Business

a. ARM Fund Report – Lori Sommers, Wetlands Bureau

Lori distributed information regarding each of the ARM Fund 2012 Grant Round. These are the projects that came in and were reviewed. On the 27th she will have pages 7 – 11 with the decisions that the committee came up with and the recommendations from the Army Corp of Engineers. Only 5 of the 9 service areas had applications submitted. Yellow highlights the service areas that have projects. She then answered questions the Council had. She will send out the submissions via email to the Council before the next meeting for their review.

b. Wetlands Bureau Report – Collis Adams, Wetlands Bureau Administrator

Collis reported the following:

Staff: Nina Buckman has been hired for the Env. Tech position. All other staffing is the same.

LRMP: looking at reorganization of Wetlands, Shoreland, Alteration of Terrain, and Subsurface. They have listed all tabulated permits dealt with, looking at staff qualifications, and the cross-training of staff regarding permits.

Budget: Wetlands and Shoreland are now in the black and stable.

Legislation/Rules: With the election, we will have to wait and see what the future holds.

They are in the process of complete rewrite of the rules and are about ½ way through. They will expire in April 2013. The group is meeting about every other week.

Collis will report again in January,

November 13, 2012

6. **Next Meeting** – The next meeting is on November 27, 2012 at 8 a.m. to review the ARM Fund Recommendations with the Larry Crocker hearing at 9 a.m. There is a possible continuation of the ARM Fund discussion after the hearing if necessary.

December 11th will also begin at 8 and have 2 hearings. Hixon at 9 a.m., Keegan at 1 p.m.

7. **Adjournment**

- ***Councilor Sloan made a motion to adjourn, second by Councilor Lievens. Motion passed unanimously.***

Meeting adjourned at 11:10 a.m.

